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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

MMCA Group Ltd.,
Plaintiff,
v.
Hewlett-Packard Company and PICA
Corporation,
Defendant.

No. 06-7067

STIPULATION AND ~~PROPOSED~~
ORDER EXTENDING PRETRIAL
DEADLINES

[No Hearing Required]

Judge: Hon. Maxine M. Chesney

I. Introduction

Due to recent additions to two parties' counsel and limiting of some issues in the case, the parties agree that slight modifications to the Court's previous scheduling order would allow them to more fully prepare their cases, while maintaining the Trial and Pretrial Conference dates. Plaintiff MMCA Group Ltd. ("MMCA") and Defendants Hewlett-Packard Company ("HP") and PICA Corporation ("PICA") file this Stipulation and ~~Proposed~~ Order to extend the time for the parties to meet certain deadlines set forth in the Pretrial Preparation Order dated June 15, 2009 (Docket 544), as amended by the Court's Minute Order of December 11, 2009 (Docket 695).

II. Background

The parties have been working diligently and cooperatively to come to agreement on their joint pretrial filings and prepare their separate papers. Recent developments in the case have raised the need for modest adjustments to allow the parties to fully develop their pretrial preparation. Two parties recently retained additional counsel. (Docket 671-675 and 690-693) Additionally, several issues in this case were recently narrowed by the Court's summary judgment order. (Docket 732)

The parties have cooperatively negotiated an agreement whereby deadlines related to Exhibits, the Pretrial Statement, and Jury Instructions are moved ahead a few days while the remaining dates, including the Trial and Pretrial Conference dates and the dates related to motions *in limine* remain unchanged. Additionally, the parties have met and conferred regarding dates for exchanging and submitting designations of deposition testimony they wish to use in their cases in chief at trial and ask that the Court adopt that agreement as part of this Stipulation and ~~Proposed~~ Order.

III. Conclusion

Accordingly, the parties stipulate as follows:

- a. Motions *in limine* remain as previously scheduled, specifically:

1 i. On Monday, February 1, 2010, motions *in limine* shall be filed and served.

2 ii. On Monday, February 8, 2010, oppositions to motions *in limine* shall be filed
3 and served.

4 b. Pretrial Statement

5 i. On Tuesday, February 2, 2010, the parties shall file with the Court a copy of
6 their Joint Pretrial Statement.

7 c. Deposition Designations

8 i. By 5:00 p.m. on Wednesday, February 3, 2010, each party shall deliver to all
9 other parties a hardcopy of any deposition testimony to be presented in that
10 party's case in chief at trial, other than for impeachment.

11 d. Exhibits

12 i. By 12:00 p.m. (noon) on Wednesday, February 3, 2010, each party shall serve
13 on every other party a hardcopy set (in 3-ring binders) of the exhibits it
14 proposes using at trial, other than for impeachment.

15 e. Jury Instructions

16 i. On Friday, February 5, 2010, the parties shall file with the Court a copy of
17 joint jury instructions.

18 ii. On Friday, February 5, 2010, each party shall file with the Court a copy of any
19 separate instructions only as to those instructions on which the parties cannot
20 agree.

21 iii. On Friday, February 5, 2010, each party shall file with the Court any
22 objections it has to another party's separate proposed jury instructions.

23 f. Where applicable the substance and format of the above filings shall be in accordance
24 with the Court's June 15, 2009 Order (Docket 544).

25 g. The Pretrial Conference remains set for February 16, 2010.

26 h. Trial remains set for March 1, 2010.

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3 DATED: January 29, 2010

Bingham McCutchen LLP

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5 By: /s/ William F. Abrams
6 William F. Abrams
7 Attorneys for Defendant

8 DATED: January 29, 2010

Luper Neidenthal & Logan

10 By: /s/ Gregory H. Melick
11 Gregory H. Melick
12 Attorneys for Plaintiff

13
14 DATED: January 29, 2010

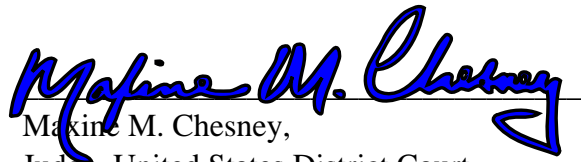
Geonetta & Frucht LLP

16 By: /s/ Frederick J. Geonetta
17 Frederick J. Geonetta
18 Attorneys for Plaintiff

19 **ORDER**

20 IT IS SO ORDERED.

21
22 DATED: February 2, 2010

23 
24 Maxine M. Chesney,
25 Judge, United States District Court
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